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JUN 14 2005

Serial No.: 09/460556
Attorney Docket No: 126-005**CERTIFICATE OF FACSIMILE TRANSMISSION UNDER 37 C.F.R. 1.8**

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United States Patent and Trademark Office at number 703-872-9306

6/14/2005

date

Lindsay G. McGuinness

Signature

Lindsay G. McGuinness
Typed or printed name of person signing Certificate

Note: Each paper must have its own certificate of transmission, or this certificate must identify each submitted paper.

Transmittal x 2 2 pages
Petition to Withdraw Notice of Abandonment 2 pages
Copy of Correspondence mailed to PTO on 11/1/2004 13 pages
TOTAL PAGES Including cover 18

PTO/SB/21 (09-04)
Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**TRANSMITTAL
FORM**

(To be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number 09/460556

Filing Date 12/14/1999

First Named Inventor Davies

Art Unit 2619

Examiner Name Harrell

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126-005 NTL-3.21P02
OFFICE OF PETITIONS**ENCLOSURES (Check all that apply)**

- Fee Transmittal Form
 Fee Attached
 Amendment / Reply
 After Final
 Affidavits/declaration(s)
 Extension of Time Request
 Express Abandonment Request
 Information Disclosure Statement
 Certified Copy of Priority Document(s)
 Reply to Missing Parts/ Incomplete Application
 Reply to Missing Parts under 37 CFR 1.52 or 1.53

- Drawing(s)
 Licensing-related Papers
 Petition
 Petition to Convert to a Provisional Application
 Change of Correspondence Address
 Terminal Disclaimer
 Request for Refund
 CD, Number of CD(s) _____
 Landscape Table on CD

- After Allowance communication to (TC)
 Appeal Communication to Board of Appeals and Interferences
 Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
 Proprietary Information
 Status Letter
 Other Enclosure(s) (please identify below):
Petition to Withdraw Notice of Abandonment w/enclosures

Remarks

PLEASE CHARGE ANY FEE DEFICIENCY, INCLUDING THE ISSUE FEE, OR CREDIT ANY OVERPAYMENT TO DEPOSIT ACCOUNT NO. 502569

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name Steubing McGuiness & Manaras LLP

Signature *Lindsay G. McGuiness*

Printed name Lindsay G. McGuiness

Date 6/14/2005

Reg. No. 38,549

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Signature *Carol Ann Mahoney*

Typed or printed name Carol Ann Mahoney

Date 6/14/05

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

In you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

PTO/SB/21 (08-04)

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TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>		Application Number 09/460556	RECEIVED
		Filing Date 12/14/1999	JUN 21 2005 OFFICE OF PETITIONS
		First Named Inventor Davies	
		Art Unit 2619	
		Examiner Name Hannell	
Total Number of Pages in This Submission		Attorney Docket Number 126-005 NTL-3.2.108/	

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance communication to (TC)
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment / Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Change of Correspondence Address	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Terminal Disclaimer	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Request for Refund	Petition to Withdraw Notice of Abandonment w/enclosures
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Certified Copy or Priority Document(s)	<input type="checkbox"/> Landscape Table on CD	
<input type="checkbox"/> Reply to Missing Parts/ Incomplete Application		
<input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53		
Remarks PLEASE CHARGE ANY FEE DEFICIENCY, INCLUDING THE ISSUE FEE, OR CREDIT ANY OVERPAYMENT TO DEPOSIT ACCOUNT NO. 502569		
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT		
Firm Name	Steubing McGuinness & Manaras LLP	
Signature	<i>Lindsay G. McGuiness</i>	
Printed name	Lindsay G. McGuiness	
Date	6/14/2005	Reg. No. 38,549

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.			
Signature	<i>Carol Ann Mahoney</i>		
Typed or printed name	Carol Ann Mahoney	Date	6/14/05

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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JUN 14 2005

2005 JUN 15 AM 9:30

Applicant(s): Davies**Application No.: 09/460556****Filed: 12-14-1999****Title: A System Indicating the Presence of An Individual or Group of Individuals****Attorney Docket No.: 126-005 NTL-3.2.108/****Commissioner for Patents****P.O. Box 1450****Alexandria, VA 22313-1450****Group Art Unit: 2619****RECEIVED****Examiner: Harrell**

JUN 21 2005

OFFICE OF PETITIONS**PETITION TO WITHDRAW NOTICE OF ABANDONMENT UNDER 37 CFR 1.181**

Dear Sir:

Applicants petition to withdraw the status of Abandonment which Applicant's attorneys obtained through the PAIR system. Applicant respectfully requests withdrawal of the holding of abandonment of this application for the following reasons:

1. The notice of allowance in the application was originally mailed to an incorrect address.
2. Upon receipt of Notice of Abandonment, Applicant's counsel conferred with the Examiner
3. As evidenced in the letter of November 1, 2004 from Applicant's counsel, the Examiner had indicated that no petition to revive was necessary in this application, since the notice of allowance was mailed to an incorrect address.
4. A review of the PAIR record for the file indicates that the issue fee payment was received and recorded in November 3, 2004.

Applicant therefore respectfully requests that the application be allowed to continue through the grant process to publication. Should there remain any reasons why the Commissioner believes that the application is not in condition for grant, the Commissioner is invited to contact Applicants' attorney at the below number.

Serial No. 09/742,290

- 2 -

Art Unit: 2171

Applicants do not believe that any fee is due from applicant for the correction of this matter. However, should the commissioner determine that a fee is due, the Commissioner is hereby authorized to charge deposit account 502569 for any necessary fee.

2005 JUN 15 AM 9:30

REMARKS

Respectfully Submitted,

6/14/005
Date

Lindsay G. McGuiness
Lindsay G. McGuiness, Reg. No. 38,549
Attorney/Agent for Applicant(s)
Steubing McGuiness & Manaras LLP
125 Nagog Park
Acton, MA 01720
(978) 264-6664

Docket No. 126-005

05-Jun-14 08:28am From-Steubing, McGuiness & Manaras LLP
Express Mail Label No.: EV 452427387 US
Date of Deposit: November 1, 2004

978 264 9119

T-828 P.006/018 F-891

Atto. by Docket No. 27996-085

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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APPLICANTS: Elwyn B. Davies et al.

EXAMINER: Robert B. Harrell

JUN 21 2005

SERIAL NUMBER: 09/460,556

ART UNIT: 2142

FILING DATE: December 14, 1999

CONFIRMATION NO. 2619 OFFICE OF PETITIONS

FOR: A SYSTEM INDICATING THE PRESENCE OF AN INDIVIDUAL OR GROUP OF INDIVIDUALS

Mail Stop Issue Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

EV 452427387 US

TRANSMITTAL LETTER

Transmitted herewith for filing in the above-referenced patent application are the following documents:

- Transmittal Letter [1 pg.] [in duplicate];
- Letter to the Commissioner;
- Completed Form PTOL-85B [1 pg.];
- Declaration/Power of Attorney form; [3 pgs.];
- "Fee Address" Indication Form [1 pg.];
- Check (# 2226) in the amount of \$1,379.00 (\$1,370.00 for Issue Fee and \$9.00 for three (3) advance copies of patent);
- Supplemental Information Disclosure Statement (2 pages), in duplicate;
- Modified Form 1449/PTO (3 pages), in duplicate;
- Copies of cited references B1 and C1-C10;
- Check (#2227) for the amount of \$180.00; and
- Return postcard.

Applicant believes that no additional fees are due in connection with this submission. However, the Commissioner is authorized to credit any overpayment or charge any deficiencies to Deposit Account No. 50-0311, Reference No. 27996-085, Customer No. 35437. A duplicate copy of this Transmittal Letter is enclosed.

Date: November 1, 2004

Respectfully submitted,



Richard M. Lehrer
Reg. No.: 38, 536
MINTZ LEVIN COHN FERRIS
GLOVSKY & POPEO, P.C.
Chrysler Center
666 Third Avenue
New York, NY 10017
(212) 935-3000

05-Jun-14 08:28am From-Steubing, McGuiness & Manaras LLP
Express Mail Label No.: EV 45 7387 US
Date of Deposit: November 1, 2004

978 264 8119

T-828 P.007/018 F-891

Atton,wy Docket No. 27996-085

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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APPLICANTS: Elwyn B. Davies et al.

EXAMINER: Robert B. Harrell

JUN 14 2005

SERIAL NUMBER: 09/460,556

ART UNIT: 2142

FILING DATE: December 14, 1999

CONFIRMATION NO. 2619

FOR: A SYSTEM INDICATING THE PRESENCE OF AN INDIVIDUAL OR
GROUP OF INDIVIDUALS

RECEIVED

Mail Stop Issue Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

JUN 21 2005

OFFICE OF PETITIONS

LETTER TO THE COMMISSIONER

Dear Sir/Madam:

Applicant has been in communication with Examiner Robert B. Harrell, the Examining Attorney in connection with the above-referenced application and sets forth the following information pertaining to this application:

1. On March 2, 2004, the undersigned Attorney filed an Amendment After Final;
2. On March 11, 2004, a Notice of Allowance was mailed to Gibbons, Del Deo Dolan Griffinger & Vecchione, the prior attorneys of record for the Applicant;
3. The undersigned firm conducted a telephone inquiry with Examiner Harrel and was informed of the abandonment of the instant application and was advised that the Notice of Allowance would be mailed to the undersigned at the correct address noted below. Examiner Harrell also informed the undersigned firm that payment of the issue fee would be accepted without the filing of a Petition to Revive since the USPTO mailed the Notice of Allowance to the incorrect address.
4. Applicant hereby encloses payment of the issue fee for processing of the Letters Patent.

Applicants respectfully request acceptance of the payment of the issue. If there are any questions regarding this application and payment of the issue, the Commissioner is encouraged to contact the undersigned at the telephone number provided below.

05-Jun-14 08:28am From:Steubing, McGuiness & Manaras LLP

878 264 8119

T-828 P.008/018 F-881

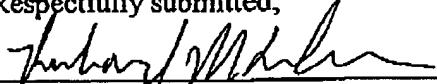
Express Mail Label No.: EV 45 77387 US
Date of Deposit: November 1, 2004

Attorney Docket No. 27996-085

Applicant believes that no additional fees are due in connection with this submission. However, the Commissioner is authorized to credit any overpayment or charge any deficiencies to Deposit Account No. 50-0311, Reference No. 27996-085, Customer No. 35437. A duplicate copy of this Transmittal Letter is enclosed.

Date: November 1, 2004

Respectfully submitted,



Richard M. Lehrer

Reg. No.: 38, 536

MINTZ LEVIN COHN FERRIS
GLOVSKY & POPEO, P.C.

Chrysler Center
666 Third Avenue
New York, NY 10017
(212) 935-3000

NYC 304557v1

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**DECLARATION FOR UTILITY OR
DESIGN
PATENT APPLICATION
(37 CFR 1.63)**

Declaration Submitted With Initial Filing

OR

Declaration Submitted after Initial Filing (surcharge (37 CFR 1.16 (e)) required)

Attorney Docket Number	27986-085
First Named Inventor	Elywn B. DAVIES
COMPLETE IF KNOWN	
Application Number	09/460,556
Filing Date	December 14, 1999
Art Unit	2142
Examiner Name	Robert B. Harrell

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I hereby declare that:

Each inventor's residence, mailing address, and citizenship are as stated below next to their name.

I believe the inventor(s) named below to be the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

A SYSTEM INDICATING THE PRESENCE OF AN INDIVIDUAL OR GROUP OF INDIVIDUALS

(Title of the Invention)

the specification of which

 is attached hereto

OR

 was filed on (MM/DD/YYYY) 12/14/1999 as United States Application Number or PCT InternationalApplication Number 09/460,556 and was amended on (MM/DD/YYYY) (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent, inventor's or plant breeder's rights certificate(s), or any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed		Certified Copy Attached?	
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

 Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.

[Page 1 of 2]

This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is required to obtain or retain a benefit by the public which is to be made (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 21 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance completing the form, call 1-800-PTO-9199 and select option 2.

PTO/SB/01 (10-01)
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DECLARATION — Utility or Design Patent Application

Direct all correspondence to: Customer Number _____ OR Correspondence address below

Name _____

Address _____

State _____

ZIP _____

City _____

Country _____ Telephone _____

Fax _____

Country _____

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

NAME OF SOLE OR FIRST INVENTOR: A petition has been filed for this unsigned inventor

Given Name Elywo B (first and middle [if any])	Family Name DAVIES or Surname
---	----------------------------------

Inventor's Signature Ely	Cambridgeshire State	UK Country	British Citizenship
-----------------------------	-------------------------	---------------	------------------------

Mailing Address 60 THE BUTTS Ely City	Cambridgeshire State	CB7 5AW ZIP	UK Country
---	-------------------------	----------------	---------------

NAME OF SECOND INVENTOR:	<input type="checkbox"/> A petition has been filed for this unsigned inventor
Given Name Andrew Newton (first and middle [if any])	Family Name HARKER or Surname

Inventor's Signature Andrew N. Harker	Date 28/10/04		
Bishop's Stortford Residence: City	Hertfordshire State	UK Country	British Citizenship

Mailing Address 20A Nursery Road Bishop's Stortford City	Hertfordshire State	CM23 3HL ZIP	UK Country
--	------------------------	-----------------	---------------

Additional inventors are being named on the 1 supplemental Additional Inventor(s) sheet(s) PTO/SB/02A attached hereto.

(Page 2 of 2)

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DECLARATION	ADDITIONAL INVENTOR(S) Supplemental Sheet Page 1 of 1
--------------------	--

Name of Additional Joint Inventor, if any:	<input type="checkbox"/> A petition has been filed for this unsigned inventor		
Given Name: David Robert	Family Name or Surname: STRINGER		
Inventor's Signature:	Date: 10/28 2004		
Residence: City: Walnut Creek	State: CA	Country: USA	Citizenship: British
Mailing Address: 2161 Whyte Park Avenue			
Mailing Address: City: Walnut Creek State: CA ZIP: 94595 Country: USA			
Name of Additional Joint Inventor, if any:	<input type="checkbox"/> A petition has been filed for this unsigned inventor		
Given Name: Eric W	Family Name or Surname: PARSONS		
Inventor's Signature:	Date:		
Residence: City: Ashton	State: Ontario	Country: Canada	Citizenship: Canadian
Mailing Address: 19 Carlisle Circle RR4			
Mailing Address: City: Ashton State: Ontario ZIP: K0A 1B0 Country: Canada			
Name of Additional Joint Inventor, if any:	<input type="checkbox"/> A petition has been filed for this unsigned inventor		
Given Name: Steven M	Family Name or Surname: ARMSTRONG		
Inventor's Signature:	Date:		
Residence: City: Nepean	State: Ontario	Country: Canada	Citizenship: Canadian
Mailing Address: 24 Hillview Road			
Mailing Address: City: Nepean State: Ontario ZIP: K2H 5G5 Country: Canada			

Burden Hour Statement: This form is estimated to take 21 minutes to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

PTO/SB/47 (09-04)

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INSTRUCTIONS : Only an address associated with a Customer Number can be established as the fee address for maintenance fee purposes (hereafter, fee address). A fee address should be specified when the patentee would like correspondence related to maintenance fees to be mailed to a different address than the correspondence address for the application. If there is a Customer Number already associated with the fee address for the patent or allowed application, check the first box below and provide the Customer Number in the space provided. If there is no Customer Number associated with the fee address for the patent or allowed application, you must check the second box below and attach a Request for Customer Number form (PTO/SB/125). For more information on Customer Numbers, see the Manual of Patent Examining Procedure (MPEP) § 403.

Please recognize as the "Fee Address" under the provisions of 37 CFR 1.363 the address associated with

Customer Number: 000626

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OFFICE OF PETITIONS

Request for Customer Number (PTO/SB/125) attached hereto
in the following listed application(s) for which the Issue Fee has been paid for patent(s).

PATENT NUMBER (if known)	APPLICATION NUMBER
	09/460,556

Completed by (check one):

Applicant/Inventor

Signature

Attorney or Agent of record 38,536
(Reg. No.)

Richard M. Lehrer

Typed or printed name

Assignee of record of the entire interest. See 37 CFR 3.71.
Statement under 37 CFR 3.73(b) is enclosed.
(Form PTO/SB/96)

(212) 935-3000
Requester's telephone number

Assignee recorded at Reel _____ Frame _____

November 1, 2004

Date

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

Total of _____ forms are submitted.

This collection of information is required by 37 CFR 1.363. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 5 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop M Correspondence, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.
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